

A G E N D A



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, July 20, 2004

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

COUNTY EXECUTIVE OFFICER
James D. Ruth

COUNTY COUNSEL
Benjamin P. de Mayo

CLERK OF THE BOARD
Darlene J. Bloom

The Orange County Board of Supervisors welcomes you to this meeting. This agenda contains a brief general description of each item to be considered. The Board of Supervisors encourages your participation. If you wish to speak on an item contained in the agenda, please complete a Speaker Form identifying the item(s) and deposit it in the Speaker Form Return box located on the side of the podium. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the close of the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda. When addressing the Board, please state your name for the record. Please address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers will be limited to three (3) minutes.

In compliance with the American's with Disabilities Act, those requiring accommodation for this meeting should notify the Clerk of the Board's Office 72 hours prior to the meeting at (714) 834-2206

All supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors located in the Hall of Administration Building, 10 Civic Center Plaza, Room 465, Santa Ana, 92701 during regular business hours, 8:00 a.m. - 5:00 p.m., Monday through Friday. Agenda Items are also available online at <http://www.ocgov.com/supervisors/agenda/supervisorsagenda.asp>

9:30 AM

INVOCATION: Supervisor Norby, Fourth District

PLEDGE OF ALLEGIANCE: Supervisor Smith, First District

I N D E X

I. PRESENTATIONS/INTRODUCTIONS		Page 2
II. CONSENT CALENDAR	(Items 1-45)	Page 2
III. DISCUSSION ITEMS	(Items 46-64)	Page 7
IV. PUBLIC HEARINGS	(Items 65-67)	Page 9
V. CLOSED SESSION	(Items CS-1-CS-7)	Page 9
VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT		Page 10

A G E N D A

I. PRESENTATIONS/INTRODUCTIONS

Chairman Wilson will be presenting resolutions for work educating Orange County voters on the new DRE system

Supervisor Silva will be introducing Helena Jacobson of the Ray of Light Foundation who will be presenting the Community Care Health Center of Huntington Beach with an Automated External Defibrillator

II. CONSENT CALENDAR (Items 1-45)

All matters are approved by one motion unless pulled by a Board Member for discussion or separate action. At this time, any member of the public may ask the Board to be heard on any item on the Consent Calendar.

BOARD APPOINTMENTS

Chairman Wilson:

1. Assessment Appeals Board No. 1 - Reappoint Jeanette Krembas, Laguna Niguel, for term ending 9/3/06
2. Veterans Advisory Council - Reappoint George Paul Reseter, Mission Viejo, for term ending 6/19/06
3. Solid Waste Local Enforcement Agency Hearing Panel - Reappoint Patricia A. McGuigan, Santa Ana and appoint Paul Manasjan, San Diego, for terms ending 6/30/06
4. Airport Land Use Commission - Appoint Melody Carruth, Laguna Hills, to complete term ending 5/1/06
5. **Supervisor Norby** - Comprehensive Economic Development Strategy Committee - Appoint Amado (Andy) Ronquillo, Jr., Anaheim, for term ending 7/1/06

DEPARTMENT APPOINTMENTS

6. **Probation** - Orange County Juvenile Justice Coordinating Council - Appoint Captain Bob Blackburn, Aliso Viejo; Lew Rosenblum, Orange and Chief Andrew Hall, Westminster, for terms concurrent with position - All Districts

COMMENDATIONS/PROCLAMATIONS

7. **Chairman Wilson** - Adopt resolution recognizing September 27, 2004 as "Family Day"

HEALTH CARE AGENCY

8. Approve agreement with Council on Aging of Orange County for Seniors Friendly Visitor Coordination and Enhancement Program services, 7/1/04 - 6/30/05 (\$70,000) - All Districts (Continued from 6/29/04, Item 17)

A G E N D A

9. Approve price agreement S4000000258 with Morf Management Group, Inc. for Medicare and Third Party billing services for Behavioral Health Services, 8/8/04 - 8/7/05 (\$20,000) - All Districts
10. Approve agreement with State Department of Health Services for AIDS Drug Assistance Program, 7/1/04 - 6/30/05 (\$52,302) - All Districts
11. Authorize submission of grant application to State Department of Health Services Alcohol and Drug Program for alcohol prevention services (\$195,000) - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

12. **Acting as the Board of Supervisors and Orange County Housing Authority** - Approve recommendations of projects for 2004 SuperNOFA Continuum of Care Associated Application for Homeless Assistance; authorize Director or designee to execute related documents; and authorize acceptance of funds for shelter and care activities - All Districts

JOHN WAYNE AIRPORT

13. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) for Phase II structural security modifications; set review to determine continuing need for emergency action for 8/3/04, 9:30 a.m. and every 14 days thereafter - District 2 (4/5 vote) (Continued from 3/9/04, Item 46; 3/23/04, Item 10; 3/30/04, Item 13; 4/20/04, Item 12; 5/4/04, Item 6; 5/18/04, Item 10; 5/25/04, Item 19; 6/8/04, Item 16; 6/22/04, Item 5; 6/30/04, Item 5)

ORANGE COUNTY PUBLIC LIBRARY

14. Approve agreements with GRT and Associates, Inc. for HVAC and electrical upgrades, Foothill Ranch Public Library and various Library Branches (\$193,500) - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

15. Authorize Auditor-Controller to release cash bonds to Shea Homes (\$165,750) and Mission Viejo Company (\$173,700) for construction of traffic signal controllers (\$165,750); and make California Environmental Quality Act findings - District 5
16. Authorize release of security for street improvements, street lights, sewer and water systems, landscaping and monumentation, Tract 15755, Toll Land XX Limited Partnership, Coto De Caza area - District 5
17. Authorize release of security for street improvements, street lights, sewer and water systems, landscaping and monumentation, Tract 15809, Toll Land XX Limited Partnership, Coto De Caza area - District 5
18. Authorize release of security for street improvements, street lights, sewer and water systems, landscaping and monumentation, Tract 15841, Toll Land XX Limited Partnership, Coto De Caza area - District 5
19. Authorize release of security for street improvements, street lights, sewer and water systems, landscaping and monumentation, Tract 15842, Toll Land XX Limited Partnership, Coto De Caza area - District 5
20. Authorize release of security for street improvements, street lights, sewer and water systems and monumentation, Tract 16239, WL Homes LLC, Ladera Ranch area - District 5

A G E N D A

21. Authorize Auditor-Controller to release cash bond to Aliso Viejo for assembly modifications of traffic signal controllers, Tract 15638 (\$58,500); and make California Environmental Quality Act findings - District 5
22. Adopt resolution certifying completion of street improvements and street lights; authorizing release of security and accepting public street improvements, street lights, landscaping and monumentation, Tract 12365, Kahlil Najaf-Zadeh and Tourab Majlessipour Najaf-Zadeh, Modjeska Canyon area - District 3
23. Approve continuation of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c) (1) for expansion of Orange County Public Law Library; authorize Director or designee to prepare and award contracts to complete work; set review for 8/3/04, 9:30 a.m., and every 14 days thereafter - District 1 (4/5 vote) (Continued from 6/29/04, Item 110)
24. Adopt Negative Declaration IP02-195; approve plans and specifications and set bid opening for 8/18/04, 2:00 p.m., for construction of walkway, Sunset Beach area; and authorize Chief Engineer or designee to execute right of way certification - District 2
25. Approve quitclaim deed to Lake Forest for scenic preservation and recreational purposes, Serrano Creek Channel; and make California Environmental Quality Act and other findings - District 5
26. Approve agreement D04-037 with Cypress for subdivision map checking services - District 2
27. Approve agreement D04-020 with Lake Forest for maintenance and operation of City traffic signals, 7/1/04 - 6/30/07 (\$150,000); and make California Environmental Quality Act findings - District 5
28. Approve plans and specifications and set bid opening for 9/1/04, 2:00 p.m., for floor repair, West Justice Center; and make California Environmental Quality Act findings - District 1
29. Approve agreement D04-045 with Sprint Communications for relocation of existing aerial facilities, Laguna Canyon Road Widening and Realignment Project (\$38,000); and make California Environmental Quality Act and other findings - District 5
30. Approve price agreement N1000005992 with Starlite Reclamation for removal of waste oils, solvents, gasoline and used oil filters, 7/22/04 - 7/21/05 (\$37,000 per year); renewable for two additional years; and make California Environmental Quality Act findings - All Districts
31. Approve agreement D04-026 with Trails4All to continue restoration and maintenance activities for recreational trails, beaches and waterways, in exchange for in-kind services; and make California Environmental Quality Act findings - All Districts

Acting as the Orange County Flood Control District:

32. Approve amended agreement D02-029 with RBF Consulting for on-call engineering services, Santa Ana River Mainstem Project, extending term one year; and make California Environmental Quality Act findings - All Districts
33. Approve access easement to Fullerton Creek Channel, Tract 16228; and make California Environmental Quality Act and other findings - District 4

A G E N D A

34. **Acting as the Board of Supervisors and Orange County Flood Control District** - Accept work with J. F. Shea Construction, Inc. for Talbert Channel improvements between Adams Avenue and Yorktown Avenue; project completed 12/10/03 (\$3,949,374.63) - District 2

PUBLIC PROTECTION

Sheriff-Coroner:

35. Approve transfer of 800 MHz portable and mobile radios to Aliso Viejo and Rancho Santa Margarita - District 5
36. Accept forfeited 1998 Lexus GS300, 1996 Honda Accord and 2000 Volkswagen Jetta V6 Sedan from U.S. Marshals Service (\$8,327) - All Districts
37. Approve price agreement N1000005791 with EST Service for preventive maintenance and repair services to fire alarm and life safety systems, Intake/Release Center, 7/20/04 - 7/19/05 (\$50,425); renewable for four additional years - District 1

GENERAL ADMINISTRATION

38. **Clerk of the Board** - Adopt amended Board of Supervisors "Rules of Procedure, July 2004" - All Districts

County Counsel:

39. Approve amended agreement with Stradling Yocca Carlson & Rauth for professional legal services (\$25,000; new total \$50,000) - All Districts
40. Approve amendment 2 to agreement with Fisher & Phillips for professional legal services (\$75,000; new total \$150,000) - All Districts

County Executive Office:

41. Receive and file Report of Leases and Easements issued under delegated authority, FYs 2002/03 and 2003/04 - All Districts
42. Approve two year license with Diamond Parking, Inc. for parking spaces for employees of Housing and Community Services Department, 1600 N. Broadway, Santa Ana; and make California Environmental Quality Act findings - District 1
43. Receive and file External Restructuring Report for the County of Orange - All Districts
44. Receive and file Report of Acquisition of Real Property Interests acquired under delegated authority, FYs 2002/03 - 2003/04 - All Districts
45. **Human Resources** - Approve amended price agreement N2000004038 with Great West Retirement Services for administration of County's Deferred Compensation Plans to add Self-Directed Brokerage Account option to 457 and 401(a) Defined Contribution Plans - All Districts

END OF CONSENT CALENDAR

A G E N D A

III. DISCUSSION ITEMS (Items 46-64)

At this time, members of the public may ask the Board to be heard on the following items as those items are called.

HEALTH CARE AGENCY

46. Approve cooperative agreement with State Department of Fish and Game, Newport Beach and University of California, Irvine for Back Bay Science Center; and direct HCA to return to the Board with sublease and operating agreement for use of laboratory space for water quality testing and continuing maintenance and educational programs for Back Bay Science Center; and make California Environmental Quality Act findings - District 2

HOUSING AND COMMUNITY SERVICES DEPARTMENT

47. Approve amended agreements with various community college districts for Nurse Workforce Initiative, 6/30/04 - 12/31/04 (\$135,000; new total \$630,000) and 6/30/04 - 6/30/05 (\$170,000; new total \$370,000) - All Districts
48. Approve agreement TV-0405-22 with State Department of Aging for Title V Senior Community Service Employment Program (\$854,973) - All Districts
49. Ratify submission of grant application to the California Workforce Investment Board for youth with disabilities (\$548,000) - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

50. Approve price agreement N1000005923 with Habitat West, Inc. for maintenance of Riparian and Coastal Sage Scrub Habitat Mitigation Program, Prima Deshecha Landfill, 6/15/04 - 6/14/05 (\$300,000); renewable for four additional years - District 5 (Continued from 6/8/04, Item 71; 6/29/04, Item 101)
51. Approve price agreements with various providers for light duty vehicle maintenance and repair services, 7/20/04 - 7/19/05 (\$155,000); renewable for four additional years - All Districts

JOHN WAYNE AIRPORT

52. Approve amended agreement with Landrum and Brown, Inc. for settlement amendment implementation plan and terminal planning services (\$177,536; new total \$354,536); and make California Environmental Quality Act findings - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

53. Receive bids and award contract to Hilbrick Construction for expanding South County garage capability, Laguna Niguel (\$532,135) - District 5 (Continued from 6/22/04, Item 54; 6/30/04, Item 54)
54. Receive bids and award contract to Hilbrick Construction for asbestos abatement and restroom improvements, Youth Guidance Center, Santa Ana (\$623,000); and make California Environmental Quality Act findings - District 1

A G E N D A

SOCIAL SERVICES AGENCY

55. Ratify submission of the Child Abuse Treatment Program Grant application to Governor's Office of Emergency Services for comprehensive treatment services for child victims of abuse and neglect, 10/1/04 - 9/30/05 (\$312,500); and authorize Director or designee to execute related documents - All Districts

PUBLIC PROTECTION

56. **Probation** - Adopt resolution approving grant award agreement RT033Q0300 with State Office of Emergency Services for continued Federal Residential Substance Abuse Treatment grant funding for Addiction and Substance Abuse Education and Recognition Treatment Program, 10/1/03 - 6/30/04 (\$382,811); authorize Chief Probation Officer to execute subsequent amendments under certain conditions; and make California Environmental Quality Act findings - All Districts (Continued from 6/29/04, Item 116)

DELETED

Sheriff-Coroner:

57. Approve license agreement with Tissue Banks International, Inc., dba Orange County Eye and Tissue Bank for continued rental of office space, Santa Ana facility; and make California Environmental Quality Act findings - District 1 (Continued from 6/8/04, Item 86; 6/29/04, Item 117)
58. Approve agreement with Rancho Santa Margarita for law enforcement services, 7/1/04 - 6/30/05 (\$5,533,466); and authorize Sheriff-Coroner to execute amendments and extend agreement, 7/1/05 - 8/31/05, under certain conditions - District 5
59. Ratify submission of grant application to and acceptance of grant award, assurances and certifications from U.S. Department of Justice for Forensic Casework DNA Backlog Reduction Program (\$172,466) - All Districts
60. Accept donation from Drug Use Is Life Abuse to be used to fund position costs for Sheriff's Community Programs Unit (\$187,100) - All Districts
61. Ratify submission of grant application to and acceptance of grant award, assurances and certifications from U.S. Department of Justice for DNA Capacity Enhancement Program (\$218,553) - All Districts

GENERAL ADMINISTRATION

62. **County Counsel** - Consider first reading of "An Ordinance of the County of Orange, California, Adding Section 2-5-302 of the County of Orange Codified Ordinances Permitting Certain Non-Exclusive Uses of County Parks"; and set second reading and adoption for 7/27/04, 9:30 a.m. - District 3

A G E N D A

County Executive Office:

63. Second reading and adoption of "An Ordinance Amending the Title of Article 25; Section 1-2-331; 1-2-333 - 1-2-337 and 1-339 - 1-2-341 of the Codified Ordinances of the County of Orange Pertaining to the Children and Families Commission of Orange County and Trust Fund" - All Districts
64. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts

IV. PUBLIC HEARINGS (Items 65-67)

HEALTH CARE AGENCY

65. Public Hearing to consider adopting resolution approving Animal Care Services fee schedule update; rescinding Resolution 03-246, effective 7/1/04; and make California Environmental Quality Act findings - All Districts (Continued from 6/29/04, Item 144)
66. Public Hearing to consider adopting resolution approving Environmental Health Division Fee Schedule update; rescinding Resolutions 03-207, 02-386, 03-234, 03-252 and 03-070, effective 7/1/04; and make California Environmental Quality Act findings - All Districts (Continued from 6/29/04, Item 146)

HOUSING AND COMMUNITY SERVICES DEPARTMENT

67. **Acting as Orange County Development Agency** - Public Hearing to consider adopting resolution approving agreements and other related documents with Newport Executive Court, LLC for sale of property, Santa Ana Heights area; authorize Redevelopment Program Manager to execute related documents and amendments under certain conditions; and make California Environmental Quality Act findings; **Acting as the Board of Supervisors** - Authorize Manager, CEO Real Estate, to accept and execute avigation easement deed and building restriction agreement - District 2

V. CLOSED SESSION (Items CS-1-CS-7)

GENERAL ADMINISTRATION

County Counsel:

- CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Larry Bartosiewski v. County of Orange, Case Nos. ANA 370215; ANA 370216
- CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Bruce MacAfee v. County of Orange, Case No. ANA 0099533
- CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Stella Snell v. County of Orange, Case No. RIV 0047534

A G E N D A

- CS-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Sheryl Dixon-Baum v. County of Orange, Case No. AHM 0108411
- CS-5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Community Redevelopment Agency of the City of Santa Ana v. AP-Edinger, LLC, et al., OCSC Case No. 03CC13833
- CS-6. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case
- CS-7. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Phil Analla Chavez v. County of Orange, OCSC Case No. 03CC05419

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

At this time, members of the public may address the Board of Supervisors regarding any off-agenda items within the subject matter jurisdiction of the Board of Supervisors provided that NO action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three minutes per person and twenty minutes for all comments, unless different time limits are set by the Chairman subject to the approval of the Board.

BOARD COMMENTS:

At this time, members of the Board of Supervisors may comment on agenda or non-agenda matters and ask questions of or give directions to staff; provided that NO action may be taken on off-agenda items unless authorized by law.

ADJOURNED:

NEXT MEETINGS:

July 27, 2004	Regular Meeting
August 3, 2004	Regular Meeting
August 10, 2004	Regular Meeting